

Council

Wednesday, 02 November 2016

- Attendees:** Councillor Christopher Arnold (Member), Councillor Lewis Barber (Member), Councillor Nick Barlow (Member), Councillor Lyn Barton (Member), Councillor Kevin Bentley (Member), Councillor Tina Bourne (Member), Councillor Roger Buston (Member), Councillor Nigel Chapman (Member), Councillor Peter Chillingworth (Member), Councillor Helen Chuah (Member), Councillor Phil Coleman (Member), Councillor Nick Cope (Member), Councillor Mark Cory (Member), Councillor Beverly Davies (Member), Councillor John Elliott (Member), Councillor Andrew Ellis (Member), Councillor Daniel Ellis (Member), Councillor Adam Fox (Member), Councillor Martin Goss (Member), Councillor Dominic Graham (Member), Councillor Dave Harris (Member), Councillor Pauline Hazell (Member), Councillor Theresa Higgins (Member), Councillor Mike Hogg (Member), Councillor Brian Jarvis (Member), Councillor John Jowers (Member), Councillor Darius Laws (Member), Councillor Cyril Liddy (Member), Councillor Michael Lilley (Member), Councillor Sue Lissimore (Member), Councillor Derek Loveland (Member), Councillor Fiona Maclean (Member), Councillor Jackie Maclean (Member), Councillor Beverley Oxford (Member), Councillor Gerard Oxford (Deputy Mayor), Councillor Philip Oxford (Member), Councillor Chris Pearson (Member), Councillor Lee Scordis (Member), Councillor Rosalind Scott (Member), Councillor Jessica Scott-Boutell (Member), Councillor Lesley Scott-Boutell (Member), Councillor Paul Smith (Member), Councillor Martyn Warnes (Member), Councillor Dennis Willetts (Member), Councillor Barbara Wood (Member), Councillor Julie Young (Mayor and Chairman), Councillor Tim Young (Member)
- Substitutes:** No substitutes were recorded at the meeting

149 Prayers

The meeting was opened with prayers from Sister Theresa and Sister Diana of the Canonesses of the Holy Sepulchre.

150 Apologies

Apologies were received from Councillors Chaplin, Davidson, Feltham and Moore.

151 Minutes (Council)

RESOLVED that the minutes of the meeting held on 27 July 2016 be confirmed as a correct record.

152 Have Your Say! (Council)

Peter Hope addressed the Council pursuant to the provisions of Council Procedure Rule 7(5) to express his concern about the future of the Go4 café in Holy Trinity Church. Go4 had worked in partnership with the Council since 2013 and had recently opened a further café at the Old Heath Recreation Ground. The cafes provided employment and volunteering opportunities for ex-offenders and the long term unemployed. They had also recently begun providing paid for breakfasts for the homeless. Their work provided valuable social benefit at no cost to the taxpayer. He understood that the Council was considering ending its partnership with Go4 and asked that Council clarify its intentions and pledge that the partnership would continue.

Councillor Cory, Portfolio Holder for Resources, explained that Go4 had given notice of its intention to terminate the lease agreement on Holy Trinity Church as they believed it was not a suitable location. Council officers were helping them to find a suitable alternative venue and were in dialogue with Go4. He hoped that the Council's partnership with Go4 would continue.

Karen Taylor addressed the Council pursuant to the provisions of Council Procedure Rule 7(5). She noted the local media coverage of aggressive begging in Colchester. Go4 provided a service which enabled resident to pay for breakfasts for the homeless, which allowed residents to support the homeless without providing cash to them directly, which should reduce levels of aggressive begging. Go4 was an excellent example of an asset based community project. It had turned a redundant building into a community asset and more importantly had developed people into valued members of the community. Go4's work was in line with the principles set out in the Council's Strategic Plan. The Council had helped Go4 establish itself and it needed to ensure that it was retained.

Councillor Lilley, Portfolio Holder for Safer Communities and Licensing, explained that the Council had received a number of complaints about begging and street drinking, which he had asked Community Support Officers to look into. The aim was to identify those who were sleeping rough and to help them secure the help they needed. It was necessary to distinguish between the genuinely homeless and aggressive beggars. Aggressive begging was a matter for the police to deal with. Whilst it was noted that Ipswich and Chelmsford had sought to tackle the issue through a Public Space Order in the town centre, the Council did not believe that this was an appropriate solution.

Lee Parker addressed the Council pursuant to the provisions of Council Procedure Rule 7(5). His family had been in emergency accommodation for two years and temporary

accommodation for eight years before that. His family were now threatened with eviction. Colchester Borough Homes were not working with him to help resolve the situation and it was difficult to secure appropriate housing for his family in the private rented sector.

Councillor Bourne, Portfolio Holder for Housing and Public Protection, explained that she could not comment on individual cases. The Council did its best to support to support the most vulnerable and took its duties in respect of housing and homelessness very seriously. The Council always sought to get involved before eviction was necessary and to help families stay in their accommodation. In addition it had a Welfare Rights team who helped ensure that residents were able to access the benefits to which they were entitled. The Council had built 34 new Council houses and had developed a programme to build more, but changes introduced by central government meant that this was no longer possible.

Holly Parker addressed the Council pursuant to the provisions of Council Procedure Rule 7(5) to explain the impact of homelessness on her as a teenager. Living in temporary accommodation meant a lack of space and privacy and made it hard to study. She had also been subject to bullying as a consequence. The Housing Act would only exacerbate the difficulties. She did not consider that sufficient consideration was given to the impact of these issues on families and young people.

Councillor Smith, Leader of the Council and Portfolio Holder for Strategy, thanked Holly for speaking and congratulated her on giving a voice to young people on this issue. The administration wanted to build more Council housing but had been thwarted by changes in government policies. He noted with concern that 56% of residents working in Colchester would not be able to obtain a mortgage on a 1 bedroom flat at current prices and so were forced into the private rented sector. The solution was more social rented housing and pressure needed to be put on central Government to address this.

Diane Stevens of Colchester People's Assembly addressed the Council pursuant to the provisions of Council Procedure Rule 7(5) to express her concern that the new Housing Act would require local authorities to gather data on the income of those living in rented Council accommodation. There were implications for civil liberties in how this information was gathered and used. The government's solution to the housing crisis was to build new starter homes which were unaffordable. The solution was to build Council housing at affordable prices and this should be the responsibility of the state rather than the private sector.

Councillor Bourne, Portfolio Holder for Housing and Public Protection, responded and stressed that starter homes were not a replacement for affordable housing. A firm commitment from government for more social housing at affordable rents was needed.

Autumn Parker addressed the Council pursuant to the provisions of Council Procedure

Rule 7(5) about the Teenspeak Campaign. They had expanded their campaign to cover 10 points, as follows:-

- Compulsory unbiased political education in secondary schools;
- Lowering of the voting age to 16;
- Views of under 18 to be taken in consideration when important issues are considered or in any referendum;
- Essential life skills to be taught within schools, such as financial management and personal finance;
- Compulsory first aid training in schools;
- Better understanding of teenage mental health problems and access to mental health support for teenagers;
- Recognise British sign language as a third language;
- Bullying to be recognised as a serious issue and all schools to be required to have a behaviour policy;
- Schools to comply with the Equality Act 2010;
- Recognitions of disabilities that require additional support such as dyslexia, dyspraxia, aspergers and autism.

Councillor Smith, Leader of the Council and Portfolio Holder for Strategy, thanked Autumn for addressing the Council and wished the campaign every success.

Sue Blair-Jordan addressed the Council pursuant to the provisions of Council Procedure Rule 7(5) about homelessness issues. There was a lack of provision to help the homeless, particularly those who were under 25. For instance there was only one refuge in Colchester. The figures for homelessness in Colchester underestimated the scale of the problem. Most homelessness resulted from the loss of homes that were tied to employment. There was not a problem of aggressive begging by homeless people in Colchester. The changes to the benefit cap would only exacerbate these problems.

Councillor Bourne Portfolio Holder for Housing and Public Protection, responded. Local councils were the safety net for the most vulnerable as a consequence often received the blame for issues such as homelessness. Councils sought to deliver support along with local partners but with cuts in government funding this was becoming increasingly difficult. The Council was taking part in a Rough Sleeper count with an independent organisation. Many of the homeless in Colchester already engaged with the services available such as Beacon House.

Christopher Lee addressed the Council pursuant to the provisions of Council Procedure Rule 7(5) to seek clarification from Greenstead ward councillors on the location of the suggested Salary Brook Country Park.

The Mayor, Councillor Julie Young, indicated that a response would be provided in due course.

153 Mayor's Announcements

The Mayor invited Council to stand for a minutes silence in memory of former Councillor Nigel Offen and Honorary Alderman Joyce Brooks, who had recently died.

The Mayor thanked those involved for making the Oyster Feast on 28 October 2016 such a special event, in particular those who had provided sponsorship which had enabled a diverse range of residents to attend. The traditional alternative Oyster Feast had also been held. The following Mayoral and civic events were also scheduled:-

- The Remembrance Day service on 13 November 2016, followed by a free Sunday lunch for invited veterans at Firstsite.
- Military Wives Choir Christmas Concert, Moot Hall, 15 December 2016
- "A Christmas Carol" performance by Anthony Roberts, Mayoral Suite, 17 December 2016
- Civic Carol Service, St Botolphs: 18 December 2016
- "A Christmas Carol" performance by Anthony Roberts, Colchester Arts Centre, 23 December 2016.

A full report would be sent to Councillors following the meeting.

154 2015/16 Year End Review of Risk Management

RESOLVED that the recommendation contained in minute 111 of the Cabinet meeting of 12 October 2016 be approved and adopted.

155 Health and Safety Policy 2016-17

RESOLVED that the recommendation contained in minute 25 of the Governance and Audit Committee meeting of 11 October 2016 be approved and adopted.

156 Review of the Council's Ethical Governance Policies

RESOLVED that the recommendation contained in minute 27 of the Governance and Audit Committee meeting of 11 October 2016 be approved and adopted.

157 Review of Local Code of Corporate Governance

RESOLVED that the recommendation contained in minute 30 of the Governance and

Audit Committee meeting of 11 October 2016 be approved and adopted.

158 Questions to Cabinet Members and Chairmen pursuant to Council Procedure Rule 10

Questioner	Subject	Response
Pre-notified questions		
Councillor Higgins	When will Colchester Borough Council adopt a policy to govern the use of Advertising Boards ("A" Boards) on the public highway within the Borough boundaries?	Councillor Lilley, Portfolio Holder for Safer Communities and Licensing, responded to acknowledge that A Boards were an issue of concern, both in terms of streetscene and the difficulties they caused to visually impaired residents. The Council did not currently have a policy on the use of Boards but he would be discussing the matter with cabinet colleagues and would be inviting the Scrutiny panel to look at the issue. This was likely to be scheduled in March 2017, but preliminary work on the issue could begin in advance of that date.
Verbal Questions		
Councillor D. Ellis	What discussions had been held with licensed premises to ensure that they and their customers behaved in a neighbourly way to residents of the Dutch Quarter, particularly in the disposal of waste?	Councillor Lilley, Portfolio Holder for Safer Communities and Licensing indicated that the issue was being looked at. Some premises behaved responsibly and ensured that litter outside their premises was cleared. There were some

		difficulties in that some litter was dropped after premises closed and it was not always possible to prove what premises litter had originated from.
Councillor D. Ellis	Did the Portfolio Holder agree that the Council's investment in the Mercury Theatre not only produced a financial return in terms of the borough's economy, but also improved Colchester's reputation? Would the Portfolio Holder support the concept of a public square in the area outside the Mercury Theatre, with the possibility of lighting up some of the buildings?	Councillor T. Young, Portfolio Holder for Culture and Regeneration indicated that he agreed and that the Mercury Theatre redevelopment project was progressing well. A public square outside the Mercury Theatre was a good idea and would help give the area a vibrant atmosphere.
Councillor Goss	Would the Leader of the Council be able to find a volunteering opportunity for a number of young adults whose voluntary project for their Duke of Edinburgh award had fallen through?	Councillor Smith, Leader of the Council and Portfolio Holder for Strategy, invited all Councillors to consider the request and make available any volunteering opportunities of which they were aware.
Councillor Jarvis	At what stage was the Portfolio Holder in acquiring a new partner to help acquire and develop the Vineyard Gate site? Did he envisage a design competition with a public consultation?	Councillor T. Young, Portfolio Holder for Culture and Regeneration, explained that the land purchases had been completed. Discussions with developers were at an early stage, but there had been a number of expressions of interest. A design competition was not anticipated.
Councillor	Did the Portfolio Holder	Councillor B. Oxford,

Harris	agree that the suggestion from the Labour Party that publicly funded funerals for children would be a sign of a compassionate society?	Portfolio Holder for Customers, agreed and indicated that she had arranged a meeting on this issue this week. The Council was also looking at how it could help with the funding of funerals for veterans who died without family.
Councillor Arnold	Given the decrease in the number of Councillors, the overall value of the locality budgets had decreased by 15%, how would the Portfolio Holder restore the value of the scheme next year?	Councillor Cory, Portfolio Holder for Resources, indicated that in view of the pressures on the budget and the fact that there were other schemes, such as the Big Choice, which made funding available for community schemes, he was not proposing to increase community budgets next year. However, he would keep the issue in mind.
Councillor Davies	Had the recent break-in at Rowan House resulted in a data breach? Would the Risk Register be amended to take account of these circumstances?	Councillor Smith, Leader of the Council and Portfolio Holder for Strategy, indicated he would provide a written response on the issue of the data breach. The Risk Register was reviewed annually and all relevant circumstances would be taken into account.
Councillor L. Scott-Boutell	What approach would be taken to planning applications from developers before the new Local Plan was adopted?	Councillor T. Young, Portfolio Holder for Culture and Regeneration, and Councillor Graham, Portfolio Holder for Waste and Sustainability, explained that the

		<p>emerging draft Local Plan had little weight in planning terms. Applications would be determined in line with the existing plan.</p> <p>Developers needed to work in line with the existing plan, rather than make speculative applications.</p> <p>The Council had a five year land supply so was not under pressure to approve applications not in line with the current Local Plan.</p>
Councillor Barber	Would the Leader of the Council publish a breakdown of the use of the New Homes Bonus?	The Leader of the Council indicated that a written response would be sent.
Councillor Warnes	Would the Portfolio Holder for Housing and Public Protection comment on the criticisms of the Council's housing advice made by Will Quince MP.	<p>Councillor Bourne, Portfolio Holder for Housing and Public Protection, explained that the Council worked very hard to prevent homelessness.</p> <p>The Council did not routinely advise residents to remain in their property until evicted. It did sometimes try and liaise with landlords to try and delay evictions whilst alternative accommodation was found. Advice provided was not negligent or unlawful and to claim it was did not give confidence in the Council housing services to vulnerable residents</p>
Councillor Pearson	Would the Chairman of the Scrutiny Panel ensure that scrutiny of Colchester	Councillor Davies, Chairman of the Scrutiny Panel, indicated that it had

	Hospital University Foundation Trust was included in the Panel's work programme given ongoing concerns about the leadership of the Trust?	been initially left of the programme given the robust scrutiny of the Trust last year. She would consider whether it should be restored to the work programme for next year.
Councillor Willetts	Would the Portfolio Holder for Resources reissue the report on the 2017/18 budget to Cabinet on 12 October 2016 which was misleading in that it classified the expenditure on locality budgets as a growth item?	Councillor Cory, Portfolio Holder for Resources, indicated that in previous years, this expenditure had been included as a "one – off" item, but was now for the first time included in the base budget as an ongoing commitment. Therefore in budgeting terms this was a growth item and therefore the report was not misleading.
Councillor Willetts	Would the responses of individual Councillors on the issue of introduction of wheelie bins to their wards be published and if so, when?	Councillor Smith, Leader of the Council and Portfolio Holder for Strategy and Councillor Graham, Portfolio Holder for Waste and Sustainability, indicated that the responses would be published and included in the report on the proposals to the Scrutiny Panel in December.
Councillor Willetts	In view of the comments of the Alliance of Sports Clubs on the Northern Gateway proposals, would the Council meet with them and indicate what alterations would be made to the proposals to meet their concerns?	Councillor T. Young, Portfolio Holder for Culture and Regeneration, indicated that the comments were not representative of the views of most sports clubs. A number had contacted the Council to express their dissatisfaction with the

		comments. Most sports clubs supported the proposals.
Councillor Scordis	Had bus companies responded to the questions from the Scrutiny Panel?	Councillor Davies Chairman of the Scrutiny Panel, indicated that responses had been received from all but one of the bus companies and this would be reported back to the Scrutiny Panel at its meeting on 8 November.
Councillor Hazell	Why was there no longer an option to pay and play during the winter months at the West End Tennis Centre?	Councillor Smith, Leader of the Council and Portfolio Holder for Strategy, indicated that in the absence of the Portfolio Holder for Business, Leisure and Opportunities, a written response would be sent.

159 Schedule of Portfolio Holder decisions

RESOLVED that the schedule of Portfolio Holder decisions for the period 13 July 2016 - 16 October 2016 be noted.